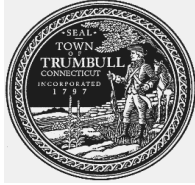


TOWN COUNCIL  
**Town of Trumbull**  
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FINANCE COMMITTEE  
MINUTES  
August 30, 2010

Chairman Robert J. Pescatore, Jr. called the Finance Committee meeting to order at 8:05p.m. All present joined in a moment of silence and the pledge of allegiance.

Present: Vice-Chairman Debra Lamberti, Jane Deyoe John DelVecchio, Jr., and Tony Scinto.

Also Present: Mr. D. Nelson, Chief of Staff, Ms. Maria Pires, Director of Finance, Ms. Theodora Samadjopolous, and Deputy Director of Public Works.

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\*The Chair reserved the right not to vote unless noted.

1. RESOLUTION TC23-88: Moved by Mr. Scinto, seconded by Ms. Lamberti

BE IT RESOLVED, That \$45,217 for Attorney Fees for MATE Arbitration Award Settlement is hereby appropriated from the Available General Fund Balance to 01013000-522203 Human Resources Ancillary.

Mr. Nelson stated that this resolution had come before the Finance Committee of the Town Council in July 2010, it was postponed and was not acted upon within the required 45-day time period, therefore it reverted back to the Board of Finance. The Board of Finance at their August meeting recommended payment by a vote of 6-0. In response to the Chair, Mr. Nelson will contact Labor Counsel Dugas to see if he is available to attend the September 13, 2010 Town Council meeting.

Mr. DelVecchio for the record stated that he would hope that the council learned from this experience, and if lead counsel recommends approving an arbitration award in the future that it be approved.

In response to a question from Mr. Scinto, Mr. Nelson explained that this resolution represents two sets of arbitration awards; the Town Council rejected the MATE arbitration award in 2009,(the panel came back with an award mainly in favor of the MATE employees), the award went before the council where it was rejected in February 2010, it

then went before the arbitrators for the second time and came back essentially with the same award as the first. During the second arbitration the MATE union raised a question whether the number of councilman present at the time of the vote constituted the 2/3 majority necessary or whether the number the entire membership of the council was necessary for the vote to have passed? The research to answer the question raised the cost of the second arbitration. Ms. Pires stated that the total cost of the second arbitration was \$37,970, (the breakdown of the total amount is \$6,675; \$10,800; and \$20,495). The Chair requested that Labor Counsel Dugas be present at the full Town Council meeting, Mr. Nelson agreed he would contact Atty. Dugas.

VOTE: Motion to send to the Town Council with recommendation carried 4-0.

2. RESOLUTION TC23-97: Moved by Mr. DelVecchio, seconded by Mr. Scinto

BE IT RESOLVED, That \$11,000 is hereby appropriated for a Library compressor from the Available General Fund to Library Capital Outlay 01070000-581888.

Ms. Samadjopolous, Deputy Director of Public Works reported that in June 2010 the compressor at the main library became inoperable; this was at the same time the town was assessing all the town facilities in its effort to develop an overview of all town facilities. The town solicited three (3) quotes, only one company responded; Main Enterprise.

Many residents had complained and it became an emergent situation. Ms. Lamberti noted that she had also received e-mails from her constituents stating that the library was in need of the air conditioning. Main Enterprises' estimate came in at \$11,000. Ms. Pires explained any cost over \$10,000 needs to go out to bid, Main Enterprise is the town's on-call service contractor. The town had already gone out to bid for the on-call service and it had been awarded to Main Enterprise. Mr. DelVecchio questioned the amount of \$11,000 vs. the quoted amount of \$10,866. The quote was dated June 29, 2010. Ms. Pires explained that the Board of Finance did not meet in July. Ms. Pires confirmed for Ms. Deyoe that the Board of Finance did approve the appropriation at their August meeting. Mr. Scinto stated that a Board of Finance member had discussed the compressor with the Library and they had indicated they could hold off on replacing the compressor, the library was supplied with fans throughout the building until the compressor was replaced.

Mr. DelVecchio spoke in favor of emergency repairs being made and then coming to the board and the council for approvals. In response to a question from the Chair, Ms. Pires stated that there is not an account that would cover the repairs without approval, there is capital no-recurring fund outside of the general fund, but in order to use that fund the Board of Finance needs to approve. The bill would be paid after the service was complete; Ms. Pires explained that the contractor would want authorization from the boards before performing the work. Ms. Pires stated that the only other option would have been to use the existing capital outlay account, let it go into the red and then come to request a supplemental, but the decision was made to request the funding before it was spent.

The Chair spoke against the delay of replacing the compressor and requested a letter of reasoning for the September Town Council meeting from the administration on this matter.

Mr. DelVecchio moved, seconded by Ms Deyoe to amend Resolution TC23-97 to \$10,866.

VOTE: Motion to amend carried 3-1 (Against: Scinto)

\*The Chair voted on the resolution as amended.

VOTE: Motion to send Resolution TC23-97 to the Town Council with recommendation as amended carried 3-2 (Against: Lamberti and Scinto).

3. RESOLUTION TC23-98: Moved by Ms. Lamberti, seconded by Mr. DelVecchio.

BE IT RESOLVED, That \$16,750 is hereby appropriated for a Fuel Management System from the Available General Fund to Public Works Capital Outlay 01030200-581888.

Ms. Samadjopolous, Deputy Director of Public Works stated that the current fuel system is by Gasboy and is an obsolete system, one month ago it failed, and a part was found and has since been replaced. There is no guarantee that the next time the system fails they will be able to find a replacement part due to the fact that system is obsolete. The public works department solicited quotes which include the server and software. Fuel Master Management system is the only system that does not require the town to switch to an entirely new system; the existing system can be integrated with the Fuel Master Management system. Fuel Master has done work for the State of CT DOT and Homeland Security.

Ms. Samadjopolous stated in response to Ms. Deyoe, Fuel Master and Gasboy are a login system, which requires the employee's name, vehicle and odometer readings entered into the system. This manages the amount of fuel being distributed to the town agency vehicles. With the system being down it becomes a billing issue, because the BoE and the Health District use the pumps and are billed for what they use. Ms. Samadjopolous does review the reports once a month and has not found discrepancies; the readings have been consistent to date. When the system failed a month ago it was necessary to have a person in place at the pumps at all times; cars could not be gassed up after hours. The system is 15 years old and utilizes a modem. Fuel Master is American made and includes a 20-year warranty. The current system, Gasboy, is as accurate as the information is entered. The new system will have the option of cards or keys (the cards are more expensive). The new system may include in its software way to lock someone out and will make sure that the new system will be used to its full benefit. There are five (5) user licenses included to allow more people to oversee the system, instead of the one (1) person the town is limited to currently. There are five (5) people the department plans on designating as users.

DelVecchio moved to amend Resolution TC23-98 to \$16,729.

VOTE: Motion to amend Failed 2-2 (Against: Lamberti and Scinto)

\*The Chair voted on the resolution.

VOTE: Motion to send Resolution TC23-98 to the Town Council with recommendation carried 3-2 (Against: Lamberti and Scinto)

4. RESOLUTION TC23-99: Moved by Ms. Deyoe, seconded by Ms. Lamberti.

Mr. DelVecchio recused himself at 8:50 p.m.

BE IT RESOLVED, That \$216,256 is hereby appropriated from Town Hall-Contingency 01013800-501116 to as follows: (See List below)

Moved by the Chair, seconded by Mr. DelVecchio, by unanimous consent the Finance Committee accepted the account numbers and amounts as presented. (See List below).

Ms. Pires explained the resolution includes appropriations pertaining to the MATE contract settlement with the exception of two items: First Selectman-Salaries FT-Plouffe & Smith payout, 01010400-501101, \$26,908.00 and Public Works Dir - Salaries FT-DelVecchio final payout, 01030000-501101, \$46,680.00. \$34,510 was the total amount of the payout to First Selectman Salaries. \$26,908 was transferred was because there was enough left over in the Contingency account to cover. There were funds left over because one of the assistants is now a part-time not full-time as it had been in the past. Public Works FT salaries reflects the payout to John DelVecchio and a portion to the MATE contract, the payout to Mr. DelVecchio was \$43,146 the difference between that amount and the \$46,680 is what was paid out for the Mate contract. The amounts and hours were verified by the Human Resource Director and the Internal Auditor; the Finance Department calculated the exact amounts. Amounts are budgeted in contingency for contracts which were had not been settled, 3% was budgeted and the contract came in at 2.5%, therefore there was money left over in the contingency account.

VOTE: Motion carried unanimously 3-0 to send to the Town Council with recommendation.

(List of Accounts and amounts accepted as presented by the Finance Committee):

- Counseling Ctr - Salaries FT, 01050200-501101, \$4,708.00
- Counseling Ctr - Salaries OT, 01050200-501105, \$34.00
- Planning & Zoning - Salaries FT, 01014200-501101, \$1,564.00
- Planning & Zoning - Salaries PT, 01014200-501105, \$181.00
- Tax Collector - Salaries OT, 01012000-501105, \$20.00
- Custodial - Salaries FT, 01014000-501101, \$17,142.00
- Custodial - Salaries OT, 01014000-501105, \$480.00
- Human Resources-Salaries, 01013000-501101, \$1106.00
- Technology-Salaries, 01012600-501101, \$3,183.00
- Technology-Salaries OT, 01012600-501105, \$24.00
- Libraries - Salaries FT, 01070000-501101, \$19128.00
- Recreation - Salaries FT, 01080400-501101, \$5,505.00
- Town Clerk - Salaries FT, 01013600-501101, \$2,572.00
- Employee Benefits-FICA, 01013400-511150, \$13,547.00
- Police-Salaries-FT, 01022000-501101, \$32,949.00
- Police-Salaries-OT, 01022000-501105, \$374.00

Fire Marshal – Salaries, FT 01022800-501101, \$3,332.00  
Building-Salaries-FT, 01023200-501101, \$4,264.00  
PH Nursing-Seniors-Salaries PT, 01040400-501102, \$31.00  
Non Public School Nurses-Salaries FT, 01060400-501101, \$95.00  
Tree Warden-Salaries FT, 01080800-501101, \$81.00  
Recreation-Salaries FT, 01080400-501101, \$6,205.00  
First Selectman-Salaries FT-Plouffe & Smith payout, 01010400-501101,  
\$26,908.00  
P & Z-Salaries-PT, 01014200-501102, \$4,994.00  
Police-Salaries-OT, 01022000-501105, \$17,956.00  
Emergency Management-Salaries-PT, 01023400-501102, \$3,193.00  
Public Works Dir - Salaries FT-DelVecchio final payout, 01030000-  
501101, \$46,680.00

Mr. DelVecchio returned to the meeting at 8:55 p.m.

5. RESOLUTION TC23-100: Moved by Mr. Scinto, seconded by Ms. Lamberti

BE IT RESOLVED, That \$172,880 is hereby appropriated from the Available General Fund to as follows (Fiscal Year 2009-2010):

Town Council - Legal Notices, 01010000-545501, \$1,603.00  
Technology-Contractual Services, 01012600-522204, \$6,971.00  
Inland Wetlands Comm.-Clerical, 01014800-522201, \$169.00  
Police- Salaries-FT, 01022000-501101, \$140,048.00  
Security-Bldg & Grounds-Serv. Contracts, 01030023-522204, \$296.00  
Security-Bldg & Grounds-Sewer Fee, 01030023-590017, \$6,852.00  
Street Lights, 01030025-590015, \$12,761.00  
Tree Warden - Program Expenses, 01080800-522205, \$4,180.00

Ms. Pires explained that the Town Council-Legal Notices line item, 01010000-545501, \$1,603.00 represented additional legal ads. The Technology-Contractual Services line items, 01012600-522204, \$6,971.00 represents Charter, Perimeter and e-mail services, the town is currently looking into a new e-mail service. The Chair stated that this was a known issue and had already been built into the budget. Ms. Pires explained that this represents a back- fill for the 2009-2010 budget; not the current budget. The Police Department, Senior Center and the Garage did have separate bills; they have been centralized into one department. Ms Pires will research this item. The Chair states the majority of the amount seems to have been built into the budget. Ms. Pires noted that the amount in the Revised Budget column represents a supplemental.

The Chair called a recess at 9:02 p.m. to allow Ms. Pires to research this item.  
The Chair called the meeting back to order at 9:23 p.m.

Ms. Pires distributed the budget report for 2009, noting page 3 of the report shows a supplemental in the amount of \$6,420 to account #01010600-522204, it had been done at the end of the fiscal year and would not have been aware of it during the budget process

therefore it could not have been built into the budget. The Chair thanked Ms. Pires for the research.

Ms. Pires indicated that the Police-Salaries-FT line item, 01022000-501101, \$140,048.00 represented a reduction pending any turnover, there was no turnover therefore the \$140,000 is being restored.

VOTE: Motion to send Resolution TC23-100 to the Town Council with recommendation carried 3-0-1 (Abstention: Lamberti)

Mr. Pescatore moved, seconded by Mr. DelVecchio to take Resolution TC23-102 out of order.

VOTE: Motion carried unanimously 4-0

6. Addendum Item: Moved by Ms. Deyoe, seconded by Mr. DelVecchio.

RESOLUTION TC23-102: BE IT RESOLVED, That \$30,200 is hereby appropriated from the Available General Fund to Account 01022800-501101 Salaries-Full-Times in the amount of \$28,000, and Account 01022800-501888 Uniform Allowance in the amount of \$2,200.

Fire Marshal Murphy stated during the budget process in December 2009 this position request had been discussed; it was decided not to add the position at that time but to revisit the decision later. The reason the request is being made now, is that the State of CT had previously run the fire marshal certification classes twice a year, but recently has reduced the number of times the class is run to once a year, (September only). There is a candidate who is willing to attend the class, which is five (5) days per week, driving his own vehicle and purchasing the books and materials on his own, reducing the cost to the town even further. There is no fee for the class. In order for the candidate to participate in the class it is a requirement that an appointment by the First Selectman to the position has taken place. The position would not be filled until January 3, 2011. The funds are needed now to be able to appoint the candidate. The town's construction has grown tremendously. The part-time fire marshal is currently trying to cover the 3,000 annual inspections; the full-time fire marshals are working on all of the construction inspections. Ms. Murphy stated the benefits for the town of adding this position are; life safety issues, enhancing enhance business and residential occupancies, filling the tax logs faster.

In response to a question from Ms. Deyoe, Ms. Murphy stated that the candidate for this position is currently an intern with the office, his internship requires 129 hrs, and he has already worked 325 hours. The candidate is dedicated, motivated and intelligent.

In response to a question from Mr. Scinto, Ms. Murphy explained that state statute requires when filling this position to give preference to the local fire department. That state requirement also reads that the person needs to be appointed at the end of the certification class. Once the candidate goes through the class they are appointed to a position, therefore it is unusual to have a ready pool of candidates for this position to hire on a contract basis. The overtime the town fire marshals' incur is billed back to the responsible party. The over time budget is reserved for emergency calls. Ms. Murphy will provide the state statute to the full town council at the September 13, 2010 meeting.

In response to Mr. DeVecchio, Ms. Murphy stated that the department as it is now is not completing the 3,000 inspections annually. In response to the Chair, Ms. Murphy stated that in the past 2½ years the department was catching up with inspections but the escalation of construction has hampered that. Ms. Murphy indicated that there is plenty of work for three (3) full time fire marshals in the department. The position is not a civil service position. The position is a \$56,000 per year salary. The part-time fire marshal is funded at \$26.03 per hour. The Chair noted that state statute 29-297 refers to the local fire department requirement discussed earlier at this meeting.

Ms. Murphy indicated that the Fire Marshal union was the first to live by the freezes and never asks for anything additional except when needed. Ms. Murphy noted that at this time there are only the two (2) fire marshals covering the town 24/7, when one goes on vacation or is sick it becomes problematic. A part-time position instead of the full-time request would help but it would not fill the need of the department. The full-time fire marshals are the only positions on-call 24/7 call.

The Chair called a recess at 9:55 p.m. in order to allow time to get a copy of the state statute and a copy of the fire marshal job description.

The Chair called the meeting back to order at 10:12 p.m.

Fire Marshal Murphy read the state statute requirement to the Finance Committee. The Deputy Fire Marshal allows for much more work to be covered than a fire inspector. The Chair read into the record the requirements by contract of the deputy fire inspector as follows: “A high school diploma or equivalent, Fire 1 Certification and Hazmat awareness certification, must have current CT driver’s license, **must currently hold or be able to complete CT State pre-certification course within 18 months of hiring.**”

The Deputy Fire Marshal requirements were read into the record as follows: “A high school diploma or equivalent, minimum of 5 years of related experience, (experience can be given for related college courses), one year as an active fire department member, equals .5 year experience, and must possess state certification as deputy fire marshal and hazmat”. Ms. Murphy stated the candidate is a 5 year fire department member and has been in college for 4 years, therefore he has 9 years experience.

The Chair referenced a letter to Chairman Massaro from the First Selectman Timothy M. Herbst dated August 26, 2010 petitioning the council to approve the fire marshal position, the first paragraph deals with statutory language of the charter, the second paragraph refers to Fire Marshal’s request to the Board of Finance, the third paragraphs refers to the request as a part time position and does not include the request for uniforms. Mr. Nelson clarified that the position is a full time position for half a year and the letter should have been worded differently, the language used in the letter may be a grammatical error. The Chair voiced concern that the council would be violating the Town Charter. Mr. Nelson stated that a resolution not approved by the Board of Finance can go to the Town Council but would need a 2/3 majority vote to adopt the resolution. Mr. Nelson stated that he believes the First Selectman is aware that this a request is for a full-time position, clarification can be made and brought to the council.

In response to a question from Mr. DelVecchio, Chairman Massaro stated that the resolution before the Town Council is the same as what was before the Board of Finance. The First Selectman's letter is not a resolution but a request and includes an error, the request is a full time position funded for half a year and will not run a foul of any Charter provision. Ms. Lamberti concurred that it is a request for a full time position for half a year. The Chair stated that his perception of the letter has nothing to do with his position on the resolution. In response to Ms. Deyoe, Ms. Murphy stated that \$28,000 is for a half year salary, and \$2,200 is for the uniform. Ms. Pires confirmed \$56,000 as the full year salary. Ms. Murphy stated a town vehicle is not available for the new position but that will be worked out within their own department and will make do with what they already have. The Chair noted for the record that position is being scrutinized because it is another full time position with benefits and are doing their due diligence. Ms. Murphy stated that this is a life-safety issue.

VOTE: Motion to send to the Town Council with recommendation carried 2-0-2 (Abstention: Deyoe and Scinto).

7. RESOLUTION TC23-101: Moved by Mr. DelVecchio, seconded by Mr. Scinto

BE IT RESOLVED, That \$6,000 is hereby appropriated from the Available General Fund to Charter Revision 01010300-52201 \$1,000 and Charter Revision 01010300-545502 \$5,000.

Ms. Pires stated that the Charter Revision 01010300-52201, \$1000 request is to cover the clerk costs and the \$5,000 is to cover publication/legal notices. Charter Revision is a new commission.

In response to a question from the Chair, it was confirmed by Mr. Nelson that the independent legal counsel requested by Chairman Judge Chiota will not be the same law firm represented on the legal letterhead Judge Chiota used for the request.

In response to a question from Ms. Lamberti, Mr. Nelson stated that the Board of Finance did approve the clerk salary and the publication fees.

VOTE: Motion to recommend to the Town Council carried 3-1(Against: DelVecchio).

There being no further business to discuss, upon motion made by Mr. Scinto, seconded by Ms. Lamberti the Finance Committee of the Town Council adjourned at 10:34 by unanimous consent.

Respectfully Submitted,

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Margaret D. Mastroni, Town Council Clerk